PASSING OF THE WALTZ.

THE GOOD OLD DANCE DISCARDED IN THIS UTILITARIAN AGE.

Difficulty Presented in Mastering Its Intricacies Cited as the Chief Cause of Its Downfall—The Less Graceful but Simpler Two-Step is Its Successor in Popular Favor.

To the carpet knights whose dancing days came to an end a generation or more ago the announcement of the dancing masters at their convention last week that the waltz is no longer popular, must have come both as a surprise and shock. All the statistics, however, seem to justify the declaration of the masters and to indicate that the good old waltz that became popular a hundred years ago, and was danced in Germany no one knows how many years before that, is giving way to the quicker two-step. The dance that our grandfathers and grandmothers learned only after patient practice has been succeeded by the two-step that a girl or boy can learn in two minutes of sidewalk dancing to the music of a hurdy-gurdy.

It is not with any pleasure that the dancing masters make their semi-official announcement of the change, for to them the transition means loss of business. Of all the round dances the waltz is the most difficult to learn, and that fact alone has always made it profitable for the teachers. Nowadays when knowledge of the two-step is all that is required to enable a person to go through fully half of the list of dances at any function, there isn't apt to be such a demand for professional instruction. So the masters protest and it will be no fault of theirs if the decline of the waltz is anything more than temporary.

Dealers in sheet music have the same story to tell. They declare that the demand for waltz music has been steadily decreasing for several years and that the sales of music written in two-fourths, four-fourths, and six-eighths time suitable for the two-step have increased in proportion.

There are almost as many theories advanced to explain the decline of the waltz as there are myths and legends relative to the origin of dancing. All are agreed, however, that the ease and quickness with which the two-step may be learned is the principal reason for its present popularity. Some of the old-timers who were in their ballroom prime ten years ago declare that the recent death of Strauss has had something to do with the case. But the young folks laugh at this, and say that Strauss was a back-number in this city long before he died, that his music was seldom played at dances, especially at fashionable ones, and that if there is any one now who should be called the "waltz king," it is Waldteufel. Another explanation is that the waltz has suffered the fate of the bicycle, only by a slower process. It became too popular, and when prizes were given for the best "lady and gent waltzers" at Bowery festivities, it hurt that particular dance in other parts of the town.

But this talk about the decline of the waltz rule, applies to the large cities and to certain parts of them. There are some Fifth avenue authorities who do not agree with the average dancing master that the waltz is going out. They admit, however, that the two-step is just as popular as the waltz even in their own limited circles. The dancing manager for Sherry's said yesterday that it was a case of half and half. "I am sure," he continued, "that I have found plenty of waltzing at all the summer places this season. Of course the city season hasn't opened yet and we can't tell what will happen when it does."

Another authority declared that one can't tell anything about city dancing from what is done out of town. "Why, I was in Newport a few years ago," said this dancing master, "and saw New York society people dancing polkas in the Casino. They wouldn't have thought of doing such a thing at home."

The dancing out of town is altogether different anyway, and the further out one goes the more he will learn about the dances that used to be popular in this city but are now forgotten. A young man from a New Hampshire village went to a dancing master in this city recently.

"I want to learn the Portland Fancy" said the applicant.

"What?" asked the dancing master. "Say that again. It brings up a lot of memories. Why you must be forty years older than you look. I'm nearly sixty and haven't heard of a Portland Fancy since I was a boy."

"Why they have been dancing it for the last three winters up in my place" replied the man from New Hampshire. They think its great and don't even dance the Tempest now."

The dancing master looked dreamy and reminiscent again. "The Tempest," he said half to himself. "I remember now. Every one in the room dances in the same set and they are drawn up in two long lines."

"Yes, just like a big Virginia Reel," interrupted the young man.

"And after the line-up the rest of the Tempest is sort of a stampede. Something like a football game, only instead of rushing at each other the two lines race up and down the hall. So you got through with that only three years ago up in your place, and then took up the Portland Fancy or something new?"

"Yes, but we like it and we've danced the Virginia Reel for years and years. That's the only real and original American dance."

"No it isn't," said the dancing master. "There isn't any real American dance, except perhaps the scalp dance and the sun dance of the North American Indians and they'll never be popular either on Fifth avenue or on the Bowery. The Virginia Reel was arranged 200 years ago in England and the last name it was known by over there was the "Sir Roger de Coverly," and we renamed it the reel over here. All of our dances came from Europe just as they are now, or else they are modifications of the foreign article. The waltz, for instance, is of Slavic origin and worked its way through Germany, France and England to us. Lord Byron once wrote a denunciation of it. The polka was invented in 1831 by a girl in Bohemia. The redowa came from the same country and the mazourka had its origin in Poland, where the Russian soldiers took it up and then carried it home. And so on through the entire list of dances, old and new, square and round, all can be traced back to a foreign country."

POLICE GUARD AT A BRONX BRIDGE.

Intended to Hold It Against a Trolley Line—Doubt as to its Effectiveness.

The residents of Williamsbridge have been watching with pleasure the extension of the main line of the Union Railway Company from Bedford Park to their village by way of Webster avenue. The work is completed nearly to Olin avenue, the main street of Williamsbridge, through which it is the intention of the company to connect with the Mount Vernon branch at White Plains avenue. The latter avenue crosses the Bronx River by a bridge about 100 feet long and some thirty-five feet above the river bed.

The bridge is comparatively new, but was not built to carry trolley cars, and it is doubtful if the structure can stand the weight. Deputy Commissioner Mathew H. Moore, of the Department of Bridges of The Bronx, has decided to take no chances, and he declines to issue a permit to the company to cross the bridge until his engineers have tested and reported on the strength of the structure. Meantime a policeman has been on duty night and day at the bridge since Thursday, to prevent the railroad men laying tracks on it. The police don't like the task.

"What's the use of it?" the disgruntled policeman asked. "The company'll lay the tracks anyhow if they want to. How's that? Easy enough. If they try to I arrest the foreman. While I'm taking him to the station who's to prevent the workmen laying the track and having it down nice and snug again I get back? The citizens won't, that's sure."

The consensus of Williamsbridge opinion is that the policeman is correct in his opinion, and that the village will have more rapid transit pretty soon.

NOTES OF LEGAL EVENTS.

In the recently reported case of the Louisville Trust Company against the Louisville, New Albany and Chicago Railway Company, the Supreme Court of the United States, speaking through Mr. Justice Brewer, has most clearly pointed out the distinctions which exist between the foreclosure of an ordinary mortgage on real estate and the foreclosure of a railroad mortgage. In foreclosing a simple mortgage in the common form upon land, the Court need consider only the mortgagor and the mortgagee and may treat the claims of other parties, though hostile to both litigants, as being outside the scope of the foreclosure and to be dealt with, if at all, in separate suits. The fact that a railroad is an instrument of public service as well as private property has led the courts to adopt a different doctrine in railroad foreclosure proceedings, and to permit in such cases a limited preference in behalf of temporary or unsecured creditors over those whose rights are declared by contract in the form of a recorded mortgage. Hence, the foreclosure of a mortgage on a railroad, whatever may be the strictly legal rights of the parties, is a proceeding which should be conducted in the interests of all those who have any rightful claims against the mortgaged property, thus including creditors as well as the stockholders and bondholders. Hence, the Supreme Court holds that where a bondholder desires to foreclose and exclude general unsecured creditors he may do so, provided the foreclosure also deprives the stockholders of all their interest in the railroad property; but he cannot leave any interest remaining in the stockholders unless the prior rights of the general creditors of the railroad are secured.

In some of the States of the Union, statutes which provide for the incorporation of telegraph companies, and which were enacted before the telephone was known, have been held by the courts to authorize and permit the incorporation of telephone companies. The correctness of several decisions to this effect seems questionable in view of the construction which the Supreme Court of the United States has put upon the act of Congress passed in 1886, conferring certain important and extensive privileges upon "any telegraph company now organized or which may hereafter be organized under the laws of any State in this Union." The Court holds that this enactment does not embrace a corporation formed to carry on communication by telephone, which is clearly deistinguishable from communication by telegraph, in that one involves the transmission of articulate speech while the other does not. As Mr. Justice Harlan points out, the question is not what Congress might have done in 1866, or may do hereafter, but what was in the mind of Congress when it enacted the statute. Bell's invention was not made public until ten years later, and in 1866 the word telegraph meant only one thing, namely, that method of transmitting intelligence which is still popularly known as the telegraph.

In the opinion of the Supreme Court of the United States in the suit by the Government against the Rio Grande Irrigation Company, which was written by Mr. Justice Brewer and which we find in the latest pamphlet number of the United States Reports, is an interesting discussion of the extent to which the courts will take judicial notice of geographical facts—that is, will act upon the information possessed by the Judges as matters of common knowledge, and without requiring any evidence to be given on the subject. Greenleaf in his well-known treatise on the law of evidence states the rule to be that courts will generally take notice of whatever ought to be generally known within the limits of their jurisdiction. But Mr. Justice Brewer observes that there is often much difficulty in determining what ought to be generally known, and this has been the experience of the courts in regard to geographical questions. It has been held, however, that the Court could take judicial notice of the geographical position of New Orleans in order to determine whether it was a place where the tide ebbed and flowed; and in another case the Supreme Court has said: "We are supposed to know judicially the principal features of the geography of our country, and, as a part of it, what streams are public navigable waters of the United States." While acquiescing in the correctness of this view, the Court in the Rio Grande case refused to take judicial notice of the particular point on that river where its navigability ceases.

According to a decision rendered by the Supreme Judicial Court of Massachusetts, it is still the law in that State that a wife can acquire no property by direct gift from her husband with the exception of wearing apparel and a few other classes of articles. In a suit to determine the title to certain savings-bank deposits it appeared that the money represented half the savings of a husband who gave them to his wife for her own and that she in turn deposited them in the bank and was credited in her bankbook with the amount of each deposit which she made. After her death a contest arose as to whether these moneys formed a part of her estate or not, and the Supreme Court sitting at Boston last week answered the question in the affirmative, holding that the wife was the agent of the husband to deliver his earnings to the bank, and in his behalf request the bank to agree to deliver the money to her when she desired. This transaction gave her, or her legal representatives, the right to recover the amount of the deposit from the bank, although the money would not have become hers by a gift direct from her husband.

In Sylvan Beach, an incorporated village in Oneida County, there is an ordinance forbidding peddling within the village limits except upon the payment of a small license fee. A violation of this ordinance is punishable by fine and imprisonment. A non-resident charged with offending against its provisions was arrested, pleaded not guilty and was given opportunity to find bail, but failing to do so, asked leave to change his plea and pleaded guilty. He then paid the prescribed license fee and a fine of twenty-five dollars which was imposed upon him by the village Police Justice. He subsequently brought a suit for false imprisonment against the president, trustees, police justice, clerk and two policemen of the village, on the ground that the proceedings were wholly unlawful because the ordinance was an unreasonable regulation which the village authorities had no power to enact or enforce. He recovered a verdict, but it has been set aside by the Appellate Division of the Supreme Court at Rochester, which holds that an action for false imprisonment cannot be maintained by one who has been convicted of a crime upon a plea of guilty. The judgment of conviction it is said, based upon his own admission, established that his arrest and detention were justifiable.

It seems that there is a system of arbitration in vogue in England for the settlement of business disputes in which each party appoints an arbitrator who is really an advocate of the person who appoints him. Of course the arbitrators do not agree, and they then choose an umpire by whom the controversy is, in fact, decided. In a case of this kind which recently came before the Queen's Bench Division of the High Court of Justice, a motion was made to set aside the award on the ground of the misconduct of the umpire. It appeared that he had received from one of the arbitrators without the knowledge of the other a document of an important character relating to the subject-matter of the arbitration. The Judges held that this was enough to invalidate the award, whether the paper actually influenced the umpire or not. It was of such a nature that it might have affected his decision. As to the argument that the defeated party knew very well that the arbitrator appointed by the other side was in fact merely an advocate, and therefore ought to take the consequences of entering into such an arrangement, Mr. Justice Darling said he was at a loss to understand how any persons, whether members of chambers of commerce or business men of any sort, could tolerate tribunals of this description.

Hit His Neighbor with a Hatchet.

Joseph Fingleton, 73 years old, of 1051 St. Mark's avenue, Brooklyn, went upstairs yesterday to get some water. He carried a pail and a hatchet. His neighbor, William H. Dayton, 58 years old, ordered him down to his own floor. Fingleton, it is alleged, struck Dayton three times with the hatchet, almost severing his nose from his face. Dayton was taken to St. Mary's Hospital and Fingleton was arrested

GIRLS EDUCATED IN SWIMMING.

School Board's Pupils Astonish Their Mothers and Grandmothers.

As an experiment the Board of Education established this summer instruction in swimming for children at some of the free public baths. Some members of the board objected to the experiment in the ground that it was useless, as all the boys who lived near the river would learn to swim without the city's aid, and the girls couldn't be taught anyway. This latter theory was effectually disproved by an exhibition given on Friday morning by the girl's class of the free bath at the foot of West Fifty-first street where thirty girls varying in age from 12 to 20 years, swam and floated like so many amphibians under the supervision of Miss Helen M. Clarke, their instructor.

Fancy swimming was not done, as the efforts of Miss Clarke have been thus far merely to teach her pupils to be self-supporting in the water. As she has had only two months in which to teach them, the proficiency they showed was remarkable. They swam easily and confidently, using the simple arm and leg motion and making good progress through the water, to the vast delight of the concourse of excited mothers, grandmothers and sisters who had been invited to be spectators. Instructor Lundstrom of the N. Y. Athletic Club, who was judge, praised the girls highly.

"They show that they have confidence in themselves in the water," said he, "and that is the great thing. They don't get rattled and they swim easily, most of them. If one of those girls were to fall overboard she could keep herself up until help came. Some of them swim better than many of the youngsters in the boys' classes.

Miss Clarke, who is herself an expert swimmer, is enthusiastic over the work.

"This is only a primary class, you know," she said. "When these girls came to me in July they couldn't swim a stroke. The first thing to do, and about the hardest, was to get them over being afraid of the water. After a girl has first swallowed inadvertently several mouthfuls, or gone through the unpleasant experience of snuffing up a nose or two, she is likely to consider that she's had a narrow escape from drowning, and it's difficult to cure her of the notion. On the other hand, a few take to the water naturally. Even the most timid of them can be taught with patience. The girls love the exercise and fun of it. I have had three mornings a week, and there's hardly been a morning that seventy-five girls haven't been in. One day we had one hundred and seven. As they become more expert I expect to teach them diving, swimming under water and other feats."

Of the thirty girls who swam on Friday, eighteen got a mark of 100 per cent. from Mr. Lundstrom. The boys of the swimming classes had their exhibition yesterday morning and proved themselves veritable water-rats. Diving, somersaulting, swimming under water, swimming on the back, side stroke and racing were shown. The exhibition closed with some fancy swimming by Mr. Lundstrom which astonished the youngsters and gave them material for future practice. The baths will probably be open until late in the month and it is thought that the Board of Education's lessons will be made a permanent institutions.

COL. BARTLETT OBJECTS TO HIS TAX.

Says the Commissioners Have Unfairly Overvalued His Property.

Col. Franklin Bartlett objects to the assessment which the Commissioners of Taxes have put on his property at 26 West Twentieth street as illegal, erroneous, unjust and unfair, by reason of over-valuation and also because it is at a higher proportionate valuation than that put on other property in the city. He obtained yesterday from Justice Scott of the Supreme Court a writ of certiorari to review the action of the Commissioners. The assessment is $43,500, and Col. Bartlett says it should be reduced to $35,000. He purchased the property in 1892, and declares that ever since then there has been an unjust and unfair discrimination against him in the valuation put on the property. Year after year it has increased, and he also cites a number of instances to show that the assessment on his property is higher than on other property in the neighborhood.

Letter Carriers Adjourn.

SCRANTON, Pa., Sept. 9.—The Letter Carriers' Convention concluded this afternoon, and nearly all the delegates have gone home. Detroit will have the next convention.

Business Notices.

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DIED.

ALEXANDER.—At his home at Sea Bright, in the 80th year of his age, Henry Martyn Alexander of New York.
Notice of funeral hereafter.

BROWN.—Died, at Worcester, Mass., Sept. 6, Abel Swan Brown, aged 54 years, 2 months and 3 days. Relatives and friends are invited to attend funeral services from his late residence, 103 Pennington av., Passaic, N. J., on Sunday, Sept. 10, at 4 P. M. Carriages will be at Prospect street station, Passaic, on arrival of train leaving foot of Chambers street, New York, at 3 P. M. Returning, special train will leave Prospect street station, Passaic, at 5:30.

CARROLL.—On Thursday, Sept. 7, at Fishers Island, Alfred Ludlow, infant son of Marion Bowers and Bradish Johnson Carroll.
Funeral private.

DONOHUE.—At the Plaza Hotel, Saturday, Sept. 9, Catharine Donohue, widow of the late James Donohue.
Notice of funeral hereafter.

HAGEMANN.—On Saturday, Sept. 9, 1899, Sophie, widow of the late Henry W. Hagemann, aged 40 years.
Relatives and friends are respectfully invited to attend the funeral, from her late residence, 896 Summit av., Jersey City, on Monday, Sept. 11, at 2 P. M.

THE KENSICO CEMETERY.—Private station, Harlem Railroad; 45 minutes' ride from the Grand Central Depot. Office, 16 East 42d st.

New Publications.

50c.—Hogarth's Pictures, Bab Ballads, Hajji Baba, Asmodeus, Manon Lescaut.
PRATT, 161 6th av.

PATIENT WHO SPEAKS MANY TONGUES

Young Egyptian Now in Bellevue Has Been a Wanderer Since Boyhood.

Haadji Raphael, an Egyptian, is in Bellevue Hospital suffering from abdominal trouble caused by heavy lifting. He has been living in this country since 1893 when he came over to the World's Fair in charge of an exhibit of Egyptian antiques. For some time recently he has been living at 308 East Thirty-third street with his wife, who is also an Egyptian, and two children. From his earliest youth, Haadji says, he has had an overpowering desire to wander over the earth and to learn new languages. He was born in Cairo twenty-nine years ago and can now converse fluently in English, French, Spanish, Italian, Turkish, Arabic and Greek.